

REMARKS

Claims 1, 2, 5, 7-17, 20, 22-36, 40, and 43-45 are pending but stand rejected. In view of the following remarks, the Applicant requests the Examiner's thoughtful reconsideration.

In the previous response, the Applicant explained that the references (Bhatti and Garcia) relied on by the Examiner failed to teach or suggest purging a time sensitive print job upon determining that the print job has expired where determining if the print job has expired includes:

- identifying a time elapsed following the detection of the malfunction and
- determining if the identified elapsed time has exceeded a duration indicated by expiration data included with the print job.

While the Examiner agrees that Bhatti fails to teach or suggest these actions, the Examiner maintains that they are taught by Garcia. The Applicant respectfully submits that the Examiner has misinterpreted Garcia to reach this conclusion.

To explain, Garcia discusses recording two times, T 1 and T 2. Garcia, paragraphs [0060] and [0066]. T 1 reflects the time when a print job is successfully uploaded to a server. Garcia, paragraph [0060]. T 2 reflects the time when a receiver subsystem starts to download the print job. Garcia, paragraph [0066]. Garcia discusses timing thresholds associated with T 1 and T 2. Garcia, paragraphs [0065] and [0076]. With respect to the threshold for T 1, Garcia states: "If the time elapsed since T 1 for any job exceeds a threshold without the job being accepted by any job receiver, step 58, then the print job information is deleted from storage, step 60." Garcia, paragraph [0065]. The same is true upon a determination that the time elapsed following T 2 exceeds a threshold time associated with T 2. See Garcia, paragraph [0066], Fig. 3B, step 96 and Fig 3A, steps 60-64.

In short, Garcia teaches measuring two elapsed times. The first is a duration measured from when a print job is received at a server. The second is a duration measured from when a receiver subsystem starts to download the print job. Neither of these durations is a measurement of a time elapsed following the detection of a malfunction. While Garcia mentions that errors may occur, Garcia mentions nothing of measuring a time elapsed following the detection of an error.

Thus, The applicant respectfully maintains that the cited references fail to teach or suggest identifying the duration of a malfunction and then deleting a print job if the malfunction duration exceeds a duration indicated by the print job.

Rejections Under 35 U.S.C. §103

The Examiner rejected Claims 1, 2, 5-8, 11-17, 20-23, 36, and 37 as being unpatentable over US Pub 2003/0065404 to Bhatti in view of US Pub 2003/0112464 to Garcia.

Claim 1 is, as amended, directed to a computer readable medium having instructions for the following.

1. detecting a triggering event,
2. determining if a print job designated time sensitive has expired following the detected triggering event; and
3. purging the print job from a memory upon determining the print job has expired;
4. wherein the detected triggering event is a malfunction that prevents, at least temporarily, the print job from being delivered to or printed by a printer; and
5. wherein determining if the print job has expired includes identifying a time elapsed following the detection of the malfunction and determining if the identified elapsed time has exceeded a duration indicated by expiration data included with the print job.

The Examiner admits that Bhatti fails to teach or suggest (a) a detected triggering event that is a malfunction that prevents, at least temporarily, a print job from being delivered to or printed by a printer and (b) identifying a time elapsed following a detection of a malfunction. For these points, the Examiner turns to Garcia. In particular the Examiner states:

Garcia '464 discloses identifying the time T1 after an error occurs in the printing system. If an error occurs in the system (shown in step 92 in figure 3(b)), then the printing system operates back at step 46 when the e-receiver accepts the print job (see paragraph [0075]). Once the system goes back to this point, the time period of T1 is still being measured against the current time in processing the current job. Therefore, the system is identifying the time elapsed and constantly comparing this time to T1. This is an example of the claimed feature of identifying a time elapsed following the detection of the malfunction. With the features of Garcia '464 combined with the features of Bhatti '404, the above features are performed; see fig. 3; paragraphs [0059]-[0077]).

As explained above, T 1 reflects the time when a print job is successfully uploaded to a server. Garcia, paragraph [0060]. T 1 is not a time "after an error occurs." T 1 is recorded in step 36 of Fig. 3A when the print job is uploaded to the server. The time elapsed since T 1 is continually measured against a threshold time is step 58 of Fig. 3A and step 94 of Fig. 3B. The time elapsed with respect to T 1 is not a time elapsed following the detection of an error in step 78 of Fig. 3B. the time elapsed following T 1 is wholly independent from the error of step 78..

Consequently, even when combined, Bhatti and Garcia fail to teach or suggest purging a time sensitive print job upon determining that the print job has expired where determining if the print job has expired includes identifying a time elapsed following the detection of the malfunction and determining if the identified elapsed time has exceeded a duration indicated by expiration data included with the print job.

For at least these reasons, Claim 1 is patentable over Bhatti alone and in combination with Garcia and/or Schroath.

Claim 5 is, as amended, directed to a computer readable medium having instructions for:

1. detecting a triggering event;
2. determining if a print job stored in a memory has been designated time sensitive following a detected triggering event; and
3. if the print job has been designated time sensitive, obtaining expiration data for the print job, determining if the print job has expired according to

- the expiration data, purging the print job from the memory, if the print job has expired;
4. wherein the detected triggering event is a malfunction that prevents, at least temporarily, the print job from being delivered to or printed by a printer; and
 5. wherein determining if the print job has expired includes identifying a time elapsed following the detection of the malfunction and determining if the identified elapsed time has exceeded a duration indicated by the obtained expiration data.

Like Claim 1, Claim 5 recites that the act of determining if the print job has expired include comparing a time elapsed following the malfunction detection and a duration indicated by the print job. If the elapsed time exceeds the indicated duration, the print job has expired and is purged. For at least the same reasons Claim 1 is patentable over Bhatti alone and in combination with Garcia, so are Claim 5 and Claims 7-8 which depend from Claim 5.

Claim 11 is directed to a computer readable medium having instructions for:

1. identifying a malfunction that prevents, at least temporarily, a print job stored in a memory from being delivered to or printed by a printer;
2. upon identifying the malfunction, determining if the print job has expired; and
3. if expired, purging the print job from the memory,
4. wherein determining if the print job has expired includes obtaining expiration data included with the print job, identifying a time elapsed following the detection of the malfunction, and determining if the elapsed time has exceeded a duration indicated by the obtained expiration data.

Like Claim 1, Claim 11 recites that the act of determining if the print job has expired include comparing a time elapsed following the malfunction detection and a

duration indicated by the print job. If the elapsed time exceeds the indicated duration, the print job has expired and is purged. For at least the same reasons Claim 1 is patentable over Bhatti alone and in combination with Garcia and/or Schroath, so are Claim 11 and Claims12-15 which depend from Claim 11.

Claim 16 is, as amended, directed to a method implementation of Claim 1. For at least the same reasons, Claim 1 is patentable over Bhatti alone and in combination with Garcia and/or Schroath, so is Claim 16.

Claim 20 is, as amended, directed to a method implementation of Claim 5. For at least the same reasons, Claim 5 is patentable over Bhatti alone and in combination with Garcia and/or Schroath, so are Claim 20 and Claims 22-23 which depend from Claim 20.

Claim 36 is directed to a print server and recites the following.

1. a queue for temporarily holding a print job; and
2. a queue manager capable of detecting a triggering event, determining, upon detection of a triggering event, if the print job held in the queue is time sensitive, and, if time sensitive, determining if the print job has expired, and purging the print job from the queue if the time sensitive print job has expired;
3. wherein the detected triggering event is a malfunction that prevents, at least temporarily, the print job from being delivered to or printed by a printer; and
4. wherein the queue manager is operable to determine if the print job has expired by identifying a time elapsed following the detection of the malfunction and determining if the identified elapsed time has exceeded a duration indicated by expiration data included with the print job.

In the spirit of Claim 1, Claim 36 recites that the queue manager determines if the print job has expired by comparing a time elapsed following the malfunction detection and a duration indicated by the print job. If the elapsed time exceeds, the indicated duration, the print job has expired and is purged. For at least the same reasons Claim 1 is patentable over Bhatti alone and in combination with Garcia and/or Schroath, so is Claim 36.

Rejections Under 35 U.S.C. §103

The Examiner rejected Claims 9, 10, 24-35, 40, 41, and 43-45 as being unpatentable over US Pub 2003/0065404 to Bhatti in view of US Pub 2003/0105995 to Schroath and in further view of US Pub 2003/0112464 to Garcia. It is initially noted that the Examiner admits that Bhatti and Shroath fail to teach or suggest (a) a detected triggering event that is a malfunction the prevents, at least temporarily, a print job from being delivered to or printed by a printer and (b) identifying a time elapsed following a detection of a malfunction. For these points, the Examiner again turns to Garcia.

Claim 9 is, as amended, directed to a computer readable medium having instructions for:

1. receiving instructions from an application to print an electronic document;
2. translating the instructions into a print job;
3. presenting a user interface having user accessible controls for designating the print job as time sensitive and for specifying expiration data; and
4. if so selected through the interface, designating the print job as time sensitive and including expiration data with the print job, the expiration data indicating a duration for holding the print job in a memory following a detection of a malfunction that prevents, at least temporarily, the print job from being delivered to or printed by a printer, the time sensitive designation indicating that the print job is to be purged from the memory

upon identifying that a time elapsed following detection of the malfunction exceeds the duration included in the expiration data.

Like claim 1, Claim 9 recites that a print job designated as time sensitive is to be purged from memory following the detection of a malfunction if the print job has expired. The expiration data included with the print job indicates a duration. The time sensitive designation of the print job indicates that the print job is to be purged from the memory upon identifying that a time elapsed following detection of the malfunction exceeds the duration included in the expiration data. For at least the same reasons Claim 1 is patentable over Bhatti alone and in combination with Garcia and Schroath, so are Claim 9 and Claim 10 which depends from Claim 9.

Claim 24 is, as amended, directed to a method for designating a print job as time sensitive that includes the following.

1. receiving instructions from an application to print an electronic document;
2. translating the instructions into a print job;
3. presenting a user interface having user accessible controls for designating the print job as time sensitive and for specifying expiration data; and
4. if so selected through the interface, designating the print job as time sensitive and including expiration data with the print job, the expiration data indicating a duration for holding the print job in a memory following a detection of a malfunction that prevents, at least temporarily, the print job from being delivered to or printed by a printer, the time sensitive designation indicating that the print job is to be purged from the memory upon identifying that a time elapsed following detection of the malfunction exceeds the duration included in the expiration data.

Like claim 1, Claim 24 recites that a print job designated as time sensitive is to be purged from memory following the detection of a malfunction if the print job has expired. The expiration data included with the print job indicates a duration. The time sensitive

designation of the print job indicates that the print job is to be purged from the memory upon identifying that a time elapsed following detection of the malfunction exceeds the duration included in the expiration data. For at least the same reasons Claim 1 is patentable over Bhatti alone and in combination with Garcia and Schroath, so are Claim 24 and Claim 25 which depends from Claim 24.

Claim 26 is, as amended, directed to a method for purging a print job that includes the following.

1. identifying a printer malfunction that, at least temporarily, prevents a print job stored in a memory from being delivered to or printed by a printer;
2. upon identifying the malfunction, determining if the stored print job has expired; and
3. if expired, purging the print job from the memory;
4. wherein determining if the print job has expired includes obtaining expiration data included with the print job, identifying a time elapsed following the detection of the malfunction, and determining if the elapsed time has exceeded a duration indicated by the obtained expiration data.

Like claim 1, Claim 26 recites that the act of determining if the print job has expired include comparing a time elapsed following the malfunction detection and a duration indicated by the print job. If the elapsed time exceeds the indicated duration, the print job has expired and is purged. For at least the same reasons Claim 1 is patentable over Bhatti alone and in combination with Garcia and Schroath, so are Claim 26 and Claims 27-30 which depend from Claim 26.

Claim 31 is, as amended, directed to a method for purging a print job that includes the following.

1. designating the print job as a time sensitive print job;

2. including expiration data in the print job, the expiration data indicating a duration;
3. queuing the time sensitive print job;
4. detecting a first malfunction that, at least temporarily, prevents the time sensitive print job from being delivered to or printed by a printer;
5. identifying a first time elapsed following the detection of the first malfunction; and
6. purging the time sensitive print job from the queue if the identified first elapsed time exceeds the duration indicated by the expiration data included with the print job.

Like claim 1, Claim 31 recites determining if the print job has expired includes comparing a time elapsed following the malfunction detection and a duration indicated by the print job. If the elapsed time exceeds, the indicated duration, the print job has expired and is purged. For at least the same reasons Claim 1 is patentable over Bhatti alone and in combination with Garcia and Schroath, so are Claim 31 and Claims 32-34 which depend from Claim 31.

Claim 35 is directed to a system for printing and recites the following:

1. an application capable of instructing an electronic document to be printed; and
2. a driver capable of translating printing instructions from the application into a print job and of allowing a user to designate the print job as time sensitive and to specify and include expiration data with the print job;
3. wherein the expiration data indicates a duration for holding the print job in a memory following a detection of a malfunction that prevents, at least temporarily, the print job from being delivered to or printed by a printer, the time sensitive designation indicating that the print job is to be purged from the memory upon identifying that a time elapsed following detection of the malfunction exceeds the duration included in the expiration data.

Like claim 1, Claim 35 recites that a print job designated as time sensitive is to be purged from memory following the detection of a malfunction if the print job has expired. The expiration data included with the print job indicates a duration. The time sensitive designation of the print job indicates that the print job is to be purged from the memory upon identifying that a time elapsed following detection of the malfunction exceeds the duration included in the expiration data. For at least the same reasons Claim 1 is patentable over Bhatti alone and in combination with Garcia and Schroath, so is Claim 35.

Claim 40 is directed to an imaging forming device that serves as an apparatus implementation of Claim 1. For at least the same reasons Claim 1 is patentable over Bhatti alone and in combination with Garcia and/or Schroath, so are Claim 40 and Claim 41 which depends from Claim 40.

Claim 43 is directed to an image forming device that serves as an apparatus implementation of Claim 5. For at least the same reasons Claim 5 is patentable over Bhatti alone and in combination with Garcia and/or Schroath, so is Claim 43.

Claim 44 is directed to a printer driver capable of implementing the method of Claim 24. For at least the same reasons Claim 24 is patentable, so is Claim 44.

Claim 45 is directed to a system for purging a print job. The system includes the following:

1. a means for storing the print job in memory;
2. a means for identifying a printer malfunction that, at least temporarily, prevents the stored print job from being delivered to or printed by a printer;
3. a means for identifying a time elapsed since the malfunction was identified;

4. a means for comparing the identified elapsed time with a duration indicated by expiration data included with the print job to determine if the print job has expired; and
5. a means for purging the print job, if expired, from memory

Like claim 1, Claim 45 recites that the act of determining if the print job has expired include comparing a time elapsed following the malfunction detection and a duration indicated by the print job. If the elapsed time exceeds the indicated duration, the print job has expired and is purged. For at least the same reasons Claim 1 is patentable over Bhatti alone and in combination with Schroath, so is Claim 45.

CONCLUSION

It is requested that all outstanding objections and rejections be withdrawn and that this application and all presently pending claims be allowed to issue.

Respectfully submitted,
Joe F. Goicoechea

By /Jack H. McKinney/
Jack H. McKinney
Reg. No. 45,685

November 21, 2008